

1 **R277. Education, Administration.**

2 **R277-531. Public Educator Evaluation Requirements (PEER).**

3 **R277-531-1. Definitions.**

4 A. "Board" means the Utah State Board of Education.

5 ~~[B. "Comprehensive Administration of Credentials for~~  
6 ~~Teachers in Utah Schools (CACTUS)" means the electronic file~~  
7 ~~maintained on all licensed Utah educators. The file includes~~  
8 ~~information such as:~~

9 ~~—— (1) personal directory information;~~

10 ~~—— (2) educational background;~~

11 ~~—— (3) endorsements;~~

12 ~~—— (4) employment history;~~

13 ~~—— (5) professional development information; and~~

14 ~~—— (6) a record of disciplinary action taken against the~~  
15 ~~educator.]~~

16 B. "Educator" means an individual licensed under Section  
17 53A-6-104 and who meets the requirements of R277-501.

18 C. "Formative evaluation" means evaluations that provide  
19 educators with feedback on how to improve their performance.

20 D. "Instructional quality data" means data acquired  
21 through observation of educator's instructional practices.

22 E. "Joint educator evaluation committee" means the local  
23 committee described under Section 53A-10-106 that develops and  
24 assesses an LEA evaluation program.

25 F. "LEA" means a local education agency directly  
26 responsible for the public education of Utah students,  
27 including traditional local school boards and school  
28 districts.

29 G. "LEA Educator Evaluation Program" means an LEA's  
30 process, policies and procedures for evaluating educators'  
31 performance according to their various assignments; those  
32 policies and procedures shall align with R277-531.

33 H. "School administrator" means an educator serving in  
34 a position that requires a Utah Educator License with an

Administrative area of concentration and who supervises Level 2 educators.

I. "Student growth score" means a measurement of a student's achievement towards educational goals in the course of a school year.

J. "Summative evaluation" means evaluations that are used to make annual decisions or ratings of educator performance and may inform decisions on salary, confirmed employment, personnel assignments, transfers, or dismissals.

K. "USOE" means the Utah State Office of Education.

L. "Utah Consolidated Application (UCA)" means the web-based grants management tool employed by the Utah State Office of Education by which local education agencies submit plans and budgets for approval of the Utah State Office of Education.

M. "Utah Effective Teaching Standards" means the teaching standards identified and adopted in R277-530.

N. "Utah Educational Leadership Standards" means the standards for educational leadership identified and adopted in R277-530.

O. "Valid and reliable measurement tool(s)" means an instrument that has proved consistent over time and uses non-subjective criteria that require minimal interpretation.

## **R277-531-2. Authority and Purpose.**

A. This rule is authorized under Utah Constitution Article X, Section 3 which vests general control and supervision over public education in the Board, by Sections 53A-1-402(1)(a)(i) and (ii) which require the Board to establish rules and minimum standards for the qualification and certification of educators and for required school administrative and supervisory services, and Section 53A-1-401(3) which allows the Board to make rules in accordance with its responsibilities.

68       B. The purpose of this rule is to provide a statewide  
69 educator evaluation system framework that includes required  
70 Board directed expectations and components and additional LEA  
71 determined components and procedures to ensure the  
72 availability of data about educator effectiveness are  
73 available. The process shall focus on the improvement of high  
74 quality instruction and improved student achievement.  
75 Additionally, the process shall include common data that can  
76 be aggregated and disaggregated to inform Board and LEA  
77 decisions about retention, preparation, recruitment, improved  
78 professional development practices and ensure LEAs engage in  
79 a consistent process statewide of educator evaluation.

80       **R277-531-3. Public Educator Evaluation Framework.**

81       A. The Board shall provide a framework that includes five  
82 general evaluation system areas and additional discretionary  
83 components of an LEA's educator evaluation system.

84       B. Alignment with Board expectations and standards and  
85 required consistency of LEA policies with evaluation process:

86       (1) An LEA educator evaluation system shall be based on  
87 rigorous performance expectations aligned with the Utah  
88 Effective Teaching Standards and the Utah Educational  
89 Leadership Standards.

90       (2) An LEA evaluation system shall establish and  
91 articulate performance expectations individually for all  
92 licensed LEA educators.

93       (3) An LEA evaluation system shall include valid and  
94 reliable measurement tools including, at a minimum,  
95 observations of instructional quality, evidence of student  
96 growth, parent and student input and other indicators as  
97 determined by the LEA.

98       (4) An LEA evaluation system shall provide a summative  
99 yearly rating of educator performance using uniform statewide  
100 terminology and definitions. An LEA evaluation system shall

include summative and formative components.

(5) An LEA evaluation system shall direct the revision or alignment of all related LEA policies, as necessary, to be consistent with the LEA Educator Evaluation System.

C. Valid and reliable tools:

(1) An LEA evaluation system shall use valid, reliable and research-based measurement tool(s) for all educator evaluations. Such measurements:

(a) employ a variety of measurement tools;

(b) adopt differentiated methodologies for measuring student growth for educators in subject areas for which standardized tests are available and in subject areas for which standardized tests are not available;

(c) provide evaluation for non-instructional licensed educators and administrators;

(2) shall provide for both formative and summative evaluation data;

(3) data gathered from tools may be considered by an LEA to inform decisions about employment and professional development.

D. Discussion, collaboration and protection of confidentiality with educators regarding evaluation process:

(1) An LEA evaluation system shall provide for clear and timely notice to educators of the components, timelines and consequences of the evaluation process.

(2) An LEA evaluation system shall provide for timely discussion with evaluated educators to include professional growth plans as required in R277-501 and evaluation conferences.

(3) An LEA evaluation system shall protect personal data gathered in the evaluation process.

E. Support for instructional improvement:

(1) An LEA evaluation system shall assess professional development needs of educators.

135       (2) An LEA evaluation system shall identify educators who  
136 do not meet expectations for instructional quality and provide  
137 support as appropriate at the LEA level which may include  
138 providing educators with mentors, coaches, specialists in  
139 effective instruction and setting timelines and benchmarks to  
140 assist educators toward greater improved instructional  
141 effectiveness and student achievement.

142       F. Records and documentation of required educator  
143 evaluation information:

144       (1) An LEA evaluation system shall include the evaluation  
145 of all licensed educators at least once a year.

146       (2) An LEA evaluation system shall provide at least an  
147 annual rating for each licensed educator, including teachers,  
148 school administrators and other non-teaching licensed  
149 positions, using Board-directed statewide evaluation  
150 terminology and definitions~~[, the rating shall be maintained~~  
151 ~~in the educator's confidential CACTUS file]~~.

152       (3) An LEA evaluation system shall provide for the  
153 evaluation of all provisional educators, as defined by the LEA  
154 under Section 53A-6-106, at least twice yearly.

155       (4) An LEA evaluation system shall include the following  
156 specific educator performance criteria:

157       (a) instructional quality measures to be determined by  
158 the LEA;

159       (b) student growth score to be completely phased in by  
160 July 1, 2015; and

161       (c) other measures as determined by the LEA including  
162 data gathered from student/parent input.

163       (5) the Board shall determine weightings for specific  
164 educator performance criteria to be used in the LEA's  
165 evaluation system.

166       (6) An LEA evaluation system shall include a plan for  
167 recognizing educators who demonstrate exemplary professional  
168 effectiveness, at least in part, by ~~[improved]~~ student

169 achievement.

170 (7) An LEA evaluation system shall identify potential  
171 employment consequences, including discipline and termination,  
172 if an educator fails to meet performance expectations.

173 (8) An LEA evaluation system shall include a review or  
174 appeals process for an educator to challenge the conclusions  
175 of a summative evaluation that provides for adequate and  
176 timely due process for the educator consistent with Section  
177 53A-10-106.5.

178 G. An LEA may include additional components in an  
179 evaluation system.

180 H. A local board of education shall review and approve an  
181 LEA's proposed evaluation system in an open meeting prior to  
182 the local board's submission to the Board for review and  
183 approval.

184 **R277-531-4. Board Support and Monitoring of LEA Evaluation**  
185 **Systems.**

186 A. The Board shall establish a state evaluation advisory  
187 committee to provide ongoing review and support for LEAs as  
188 they develop and implement evaluation systems consistent with  
189 the law and this Rule. The Committee shall:

190 (1) analyze LEA evaluation data for purposes of:

191 (a) reporting;

192 (b) assessing instructional improvement; and

193 (c) assessing student achievement.

194 (2) review required Board evaluation components regularly  
195 and evaluate their usefulness in providing a consistent  
196 statewide framework for educator evaluation, instructional  
197 improvement and commensurate student achievement;

198 (3) review LEA educator evaluation plans for alignment  
199 with Board requirements.

200 B. The USOE, under supervision of the Board, shall  
201 develop a model educator evaluation system that includes

202 performance expectations consistent with this rule.

203 C. The USOE shall evaluate and recommend tools and  
204 measures for use by LEAs as they develop and initiate their  
205 local educator evaluation systems.

206 ~~[D. The USOE shall add educator evaluation information to~~  
207 ~~individual educator CACTUS files.]~~

208 D. The USOE shall provide professional development and  
209 technical support to LEAs to assist in evaluation procedures  
210 and to improve educators' ability to make valid and reliable  
211 evaluation judgments.

212 **R277-531-5. Implementation.**

213 A. Each LEA shall have an educator evaluation committee  
214 in place by October 2011.

215 B. Each LEA shall design the required evaluation program,  
216 including pilot programs as desired.

217 C. Each LEA shall continue to report educator  
218 effectiveness data to the USOE in the UCA.

219 D. ~~[Final and complete i]~~Implementation shall be in place  
220 for the 2013-2014 school year.

221 E. Board directed student growth measures shall be  
222 implemented as part of the LEA evaluation system by the 2014-  
223 2015 school year.

224 **KEY: educator, evaluation, requirements**

225 **Date of Enactment or Last Substantive Amendment: 2011**

226 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3;**

227 **53A-1-402 (1) (a) (i) ; 53A-1-401 (3)**